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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
13

14 **LAMARR RASHID CROWDER,**

Petitioner,

15
16 v.

17 **JAMES E. TILTON, Secretary, California**
Department of Corrections and Rehabilitation,

18
19 Respondent.

08-0694 DMS (JMA)

**RESPONDENT'S ANSWER TO
PETITION FOR WRIT OF
HABEAS CORPUS**

Judge: Honorable Jan M. Adler

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21 COMES NOW RESPONDENT and for his answer to petition for writ of habeas corpus
22 alleges the following.

23 **I.**

24 Petitioner is in the lawful custody of the California Department of Corrections as the result
25 of an April 29, 2005, San Diego County Superior Court judgment sentencing him to state prison for
26 fifty years to life for his convictions of first degree murder and shooting into an inhabited vehicle
27 while personally using a firearm and discharging a firearm causing death.

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1 II.

2 The state court rejection of Petitioner's federal habeas corpus claims did not contradict or
3 unreasonably apply established federal law, as determined by the United States Supreme Court, and
4 did not rely on unreasonable factual determinations of the state court evidence. 28 U.S.C. § 2254
5 (d).

6 III.

7 Except as expressly admitted, Respondent specifically denies each and every one of
8 Petitioner's claims for relief, denies any of Petitioner's rights were violated, and denies Petitioner's
9 custody is in any way illegal.

10 WHEREFORE, for reasons set forth in the memorandum of points and authorities in
11 support of Respondent's answer to petition for writ of habeas corpus, Respondent respectfully asks
12 that this Court deny the petition for writ of habeas corpus.

13 Dated: August 11, 2008

14 Respectfully submitted,

15 EDMUND G. BROWN JR.
Attorney General of the State of California

16 DANE R. GILLETTE
Chief Assistant Attorney General

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22 Deputy Attorney General
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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Crowder v. Tilton**

No.: **08-0694 DMS (JMA)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On August 11, 2008, I served the attached **RESPONDENT'S ANSWER TO PETITION FOR WRIT OF HABEAS CORPUS** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

John Lanahan
Attorney at Law
Law Offices of John Lanahan
550 West C Street, Suite 1670
San Diego, CA 92101-8557
lawnanah@sbcglobal.net
(Attorney for Petitioner)

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 11, 2008, at San Diego, California.

A. Curiel

Declarant



Signature